



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

APR 16 2007

CERTIFIED MAIL
VIA FIRST CLASS MAIL

Mr. William J. Cadigan, Esquire
Law Office of William J. Cadigan, P.C.
180 N. Wacker Drive, Suite 600
Chicago, Illinois 60606

RE: MUR 5722
Friends for Lauzen and Lee Holmes, in his
official capacity as Treasurer

Dear Mr. Cadigan:

On April 3, 2006, the Federal Election Commission notified your clients, Friends for Lauzen and Lee Holmes, in his official capacity as Treasurer, of a complaint alleging a violation of the Federal Election Campaign Act of 1971, as amended (the "Act") and its implementing regulations. On February 21, 2007, the Commission dismissed this allegation in an exercise of prosecutorial discretion. *See Heckler v. Chaney*, 470 U.S. 821 (1985). Accordingly, the Commission closed its file in this matter.

The Commission reminds you that only funds that are permissible under the Act may be used for testing the waters activities. *See* 11 C.F.R. §§ 100.72(a) and 100.131(a). Since a candidate's nonfederal campaign committee may not transfer funds to his or her federal campaign pursuant to 11 C.F.R. § 110.3(d), an individual's nonfederal campaign committee may not fund federal testing the waters activity on behalf of the individual. You should take steps to ensure that this activity does not occur in the future.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A copy of the Factual and Legal Analysis explaining the Commission's decision is enclosed for your information.

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If you have any questions, please contact Tracey L. Ligon, the attorney assigned to this matter, at 202-694-1650.

Sincerely,

Thomasenia P. Duncan
Acting General Counsel



BY: Rhonda J. Vosdingh
Associate General Counsel
for Enforcement

Enclosure
Factual and Legal Analysis

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